



SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SOFTWARE-BASED FAULT-TOLERANT NETWORKING USING A SINGLE LAN.**

The specification of which was filed on December 29, 2000 as application serial no. 09/751,945.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number
09/513,010

Filing Date
February 25, 2000

Status
Pending

Attorney Docket No.: H16-26156 CIP1 (256.078US1)
 Serial No. 09/751,945
 Filing Date: December 29, 2000

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Mill, Stanley K.	Reg. No. 37,548	Nicholson, Lea A.	Reg. No. P-48-34
Arora, Sunod	Reg. No. 42,267	Jackson Hunsbath, Katharine A.	Reg. No. 47,670	Nielsen, Walter W.	Reg. No. 25,539
Beekman, Marvin L.	Reg. No. 38,377	Jurkovich, Patti J.	Reg. No. 44,813	Pachys, Danny J.	Reg. No. 35,635
Bimchid, Timothy E.	Reg. No. 39,610	Kalis, Jason M.	Reg. No. 37,650	Parker, J. Kevin	Reg. No. 33,024
Billson, Richard E.	Reg. No. 32,436	Klima-Silberg, Catherine I.	Reg. No. 40,052	Perdik, Monique M.	Reg. No. 42,989
Black, David W.	Reg. No. 42,331	Kluh, Daniel J.	Reg. No. 32,146	Perot, Andrew R.	Reg. No. 41,246
Brennan, Leonide M.	Reg. No. 35,832	Leary, Rodney L.	Reg. No. 41,136	Peterson, David C.	Reg. No. 47,837
Brennan, Thomas P.	Reg. No. 35,075	Lemire, Charles A.	Reg. No. 36,198	Proud, William F.	Reg. No. 33,995
Brooks, Edward J., III	Reg. No. 40,925	LeMoine, Dana R.	Reg. No. 40,062	Schwartz, Sherry W.	Reg. No. 39,422
Chadwick, Robin A.	Reg. No. 36,477	Lundberg, Steven W.	Reg. No. 30,568	Schwogman, Michael L.	Reg. No. 25,816
Clark, Barbara J.	Reg. No. 38,107	Maki, Peter C.	Reg. No. 42,832	Scott, John C.	Reg. No. 38,613
Cliso, Timothy B.	Reg. No. 40,957	Malen, Peter L.	Reg. No. 44,894	Smith, Michael G.	Reg. No. 45,368
Dahl, John M.	Reg. No. 44,639	Mates, Robert B.	Reg. No. 35,271	Speier, Gary J.	Reg. No. 45,458
Drake, Eduardo E.	Reg. No. 40,594	McCrackin, Ann M.	Reg. No. 42,858	Steffey, Charles E.	Reg. No. 25,179
Embretson, Janet E.	Reg. No. 39,663	McTavish, Hugh F.	Reg. No. P-48,341	Stordal, Leif T.	Reg. No. 46,251
Forrest, Bradley A.	Reg. No. 30,837	Mehrie, Joseph P.	Reg. No. 45,535	Terry, Kathleen R.	Reg. No. 31,884
Gamon, Owen J.	Reg. No. 36,143	Moore, Charles L., Jr.	Reg. No. 33,742	Tong, Vix V.	Reg. No. 45,416
Gortych, Joseph E.	Reg. No. 41,791	Mullor, Mark V.	Reg. No. 37,509	Villemas, Ann S.	Reg. No. 37,748
Groves, John N.	Reg. No. 40,362	Nema, Kish	Reg. No. 44,255	Wossner, Warren D.	Reg. No. 30,440
Hack, John L.	Reg. No. 36,154	Nelson, Albin J.	Reg. No. 28,650	Study, John G. Sr.	Reg. No. 31,214
Harris, Robert J.	Reg. No. 37,346				

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Honeywell International Inc. and/or Schwogman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Honeywell International Inc. at the address indicated below:

Law Dept. AB2
 P.O. Box 2245, Morristown, NJ 07962-9806
 Customer Number: 00128

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Jiandong Huang

Citizenship: United States of America

Post Office Address: 4365 Juniper Lane, 4103 Corona Court
Plymouth, MN 55446 San Jose, CA 95135

Residence: Plymouth, MN San Jose, CA

Signature: Jiandong Huang

Jiandong Huang

Date: 9/17/2001

Full Name of joint inventor number 2: Sejun Song

Citizenship: Republic of Korea

Post Office Address: 1026 27th Ave SE
Apt. F
Minneapolis, MN 55414

Residence: Minneapolis, MN

Signature: Sejun Song

Sejun Song

Date: _____

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

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Full Name of joint inventor number 3 : **Tony John Kozlik**

Citizenship: **United States of America**

Residence: **Phoenix, AZ**

Post Office Address: 2936 W. Morrow Drive
Phoenix, AZ 85027

Signature: _____ Date: _____

Tony John Kozlik

Full Name of joint inventor number 4 : **Ronald J. Freimark**

Citizenship: **United States of America**

Residence: **Scottsdale, AZ**

Post Office Address: 13014 N. 62nd Street
Scottsdale, AZ 85254

Signature: _____ Date: _____

Ronald J. Freimark

Full Name of joint inventor number 5 : **Jay W. Gustin**

Citizenship: **United States of America**

Residence: **Scottsdale, AZ**

Post Office Address: 6226 E. Joan De Arc Avenue
Scottsdale, AZ 85254

Signature: _____ Date: _____

Jay W. Gustin

Full Name of joint inventor number 6 : **Christopher Lunemann**

Citizenship: **United States of America**

Residence: **Carbon, PA**

Post Office Address: 159 Blackberry Lane
Carbon, PA 18229

Signature: _____ Date: _____

Christopher Lunemann

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Full Name of joint inventor number 7 : **Laurence Arthur Clawson**

Citizenship: **United States of America**

Residence: **Cave Creek, AZ**

Post Office Address: **37620 North Hidden Valley Drive
Cave Creek, AZ 85327**

Signature: _____ Date: _____

Laurence Arthur Clawson

Full Name of joint inventor number 8 : **John M. Dahl**

Citizenship: **United States of America**

Residence: **Grand Forks, ND**

Post Office Address: **2236 Springbrook Court
Grand Forks, ND 58201**

Signature: _____ Date: _____

John M. Dahl

Full Name of inventor:

Citizenship:

Residence:

Post Office Address:

Signature: _____ Date: _____

Full Name of inventor:

Citizenship:

Residence:

Post Office Address:

Signature: _____ Date: _____

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application:
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



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Dahl, John M.	Reg. No. 44,639	Mates, Robert E.	Reg. No. 35,271	Speier, Gary J.	Reg. No. 45,458
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Harris, Robert J.	Reg. No. 37,346				

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Honeywell International Inc. and/or Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Honeywell International Inc.** at the address indicated below:

Law Dept. AB2
P.O. Box 2245, Morristown, NJ 07962-9806
Customer Number: 00128

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Full Name of joint inventor number 1 : **Jiandong Huang**
Citizenship: **United States of America**
Post Office Address: **4365 Juneau Lane**
Plymouth, MN 55446

Residence: **Plymouth, MN**

Signature: _____
Jiandong Huang

Date: _____

Full Name of joint inventor number 2 : **Sejun Song**
Citizenship: **Republic of Korea**
Post Office Address: **1026 27th Ave SE**
Apt. F
Minneapolis, MN 55414

Residence: **Minneapolis, MN**

Signature: _____
Sejun Song

Date: Sept 17 2001

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

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Full Name of joint inventor number 3 : **Tony John Kozlik**Citizenship: **United States of America**Residence: **Phoenix, AZ**Post Office Address: 2936 W. Morrow Drive
Phoenix, AZ 85027Signature: _____
Tony John Kozlik

Date: _____

Full Name of joint inventor number 4 : **Ronald J. Freimark**Citizenship: **United States of America**Residence: **Scottsdale, AZ**Post Office Address: 13014 N. 62nd Street
Scottsdale, AZ 85254Signature: _____
Ronald J. Freimark

Date: _____

Full Name of joint inventor number 5 : **Jay W. Gustin**Citizenship: **United States of America**Residence: **Scottsdale, AZ**Post Office Address: 6226 E. Joan De Arc Avenue
Scottsdale, AZ 85254Signature: _____
Jay W. Gustin

Date: _____

Full Name of joint inventor number 6 : **Christopher Lunemann**Citizenship: **United States of America**Residence: **Carbon, PA**Post Office Address: 159 Blackberry Lane
Carbon, PA 18229Signature: _____
Christopher Lunemann

Date: _____

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Cave Creek, AZ 85327**

Signature: _____ Date: _____
Laurence Arthur Clawson

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Citizenship: **United States of America**

Residence: **Grand Forks, ND**

Post Office Address: **2236 Springbrook Court
Grand Forks, ND 58201**

Signature: _____ Date: _____
John M. Dahl

Full Name of inventor:

Citizenship:

Residence:

Post Office Address:

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Full Name of inventor:

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(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



Attorney Docket No. H16-26156 CIP1 (256.078US1)

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Brooks, Edward J., III	Reg. No. 40,925	LeMolne, Dana B.	Reg. No. 40,062	Schumm, Sherry W.	Reg. No. 39,422
Chadwick, Robin A.	Reg. No. 36,477	Lundberg, Steven W.	Reg. No. 30,568	Schwegman, Micheal L.	Reg. No. 25,816
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Gamon, Owen J.	Reg. No. 36,145	Moore, Charles L., Jr.	Reg. No. 33,742	Tung, Viet V.	Reg. No. 45,416
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Harris, Robert J.	Reg. No. 37,346				

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Honeywell International Inc. and/or Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Honeywell International Inc. at the address indicated below:

Law Dept. AB2
P.O. Box 2245, Morristown, NJ 07962-9806
Customer Number: 00128

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Jiandong Huang
Citizenship: United States of America Residence: Plymouth, MN
Post Office Address: 4365 Juneau Lane
Plymouth, MN 55446

Signature: _____
Jiandong Huang

Date: _____

Full Name of joint inventor number 2: Sejun Song
Citizenship: Republic of Korea Residence: Minneapolis, MN
Post Office Address: 1026 27th Ave SE
Apt. F
Minneapolis, MN 55414

Signature: _____
Sejun Song

Date: _____

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: H16-26156 CIP1 (256.078US1)
Serial No. 09/751,945
Filing Date: December 29, 2000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 3 : Tony John Kozlik
Citizenship: United States of America Residence: Phoenix, AZ
Post Office Address: 2936 W. Morrow Drive
Phoenix, AZ 85027

Signature: Tony John Kozlik Date: 9/4/01
Tony John Kozlik

Full Name of joint inventor number 4 : Ronald J. Freimark
Citizenship: United States of America Residence: Scottsdale, AZ
Post Office Address: 13014 N. 62nd Street
Scottsdale, AZ 85254

Signature: Ronald J. Freimark Date: 8-30-01
Ronald J. Freimark

Full Name of joint inventor number 5 : Jay W. Gustin
Citizenship: United States of America Residence: Scottsdale, AZ
Post Office Address: 6226 E. Joan De Arc Avenue
Scottsdale, AZ 85254

Signature: _____ Date: _____
Jay W. Gustin

Full Name of joint inventor number 6 : Christopher Lunemann
Citizenship: United States of America Residence: Carbon, PA
Post Office Address: 159 Blackberry Lane
Carbon, PA 18229

Signature: _____ Date: _____
Christopher Lunemann

☒ Additional inventors are being named on separately numbered sheets, attached hereto.



SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SOFTWARE-BASED FAULT-TOLERANT NETWORKING USING A SINGLE LAN.**

The specification of which was filed on December 29, 2000 as application serial no. 09/751,945.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number
09/513,010

Filing Date
February 25, 2000

Status
Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Hill, Stanley K.	Reg. No. 37,548	Nicholson, Lea A.	Reg. No. P-48-34
Arora, Suneel	Reg. No. 42,267	Jackson Huebsch, Katharine A.	Reg. No. 47,670	Nielsen, Walter W.	Reg. No. 25,539
Beckman, Marvin L.	Reg. No. 38,377	Jurkovich, Patti J.	Reg. No. 44,813	Padys, Danny J.	Reg. No. 35,635
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Greaves, John N.	Reg. No. 40,362	Nama, Kash	Reg. No. 44,255	Woessner, Warren D.	Reg. No. 30,440
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Full Name of joint inventor number 1 : **Jiandong Huang**
Citizenship: **United States of America**
Post Office Address: **4365 Juneau Lane**
Plymouth, MN 55446

Residence: **Plymouth, MN**

Signature: _____
Jiandong Huang

Date: _____

Full Name of joint inventor number 2 : **Sejun Song**
Citizenship: **Republic of Korea**
Post Office Address: **1026 27th Ave SE**
Apt. F
Minneapolis, MN 55414

Residence: **Minneapolis, MN**

Signature: _____
Sejun Song

Date: _____

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

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Full Name of joint inventor number 3 : **Tony John Kozlik**

Citizenship: **United States of America**

Residence: **Phoenix, AZ**

Post Office Address: **2936 W. Morrow Drive
Phoenix, AZ 85027**

Signature: _____ Date: _____
Tony John Kozlik

Full Name of joint inventor number 4 : **Ronald J. Freimark**

Citizenship: **United States of America**

Residence: **Scottsdale, AZ**

Post Office Address: **13014 N. 62nd Street
Scottsdale, AZ 85254**

Signature: _____ Date: _____
Ronald J. Freimark

Full Name of joint inventor number 5 : **Jay W. Gustin**

Citizenship: **United States of America**

Residence: **Scottsdale, AZ**

Post Office Address: **6226 E. Joan De Arc Avenue
Scottsdale, AZ 85254**

Signature: _____ Date: _____
Jay W. Gustin

Full Name of joint inventor number 6 : **Christopher Lunemann**

Citizenship: **United States of America**

Residence: **Carbon, PA**

Post Office Address: **159 Blackberry Lane
Carbon, PA 18229**

Signature: _____ Date: _____
Christopher Lunemann

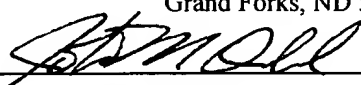

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Full Name of joint inventor number 7 : Laurence Arthur Clawson
Citizenship: United States of America Residence: Cave Creek, AZ
Post Office Address: 37620 North Hidden Valley Drive
Cave Creek, AZ 85327

Signature: _____ Date: _____
Laurence Arthur Clawson

Full Name of joint inventor number 8 : John M. Dahl
Citizenship: United States of America Residence: Grand Forks, ND
Post Office Address: 2236 Springbrook Court
Grand Forks, ND 58201

Signature:  Date: 
John M. Dahl

Full Name of inventor:
Citizenship: Residence:
Post Office Address:

Signature: _____ Date: _____

Full Name of inventor:
Citizenship: Residence:
Post Office Address:

Signature: _____ Date: _____

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Attorney Docket No.: H16-26156 CIP1 (256.078US1)
Serial No. 09/751,945
Filing Date: December 29, 2000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Post Office Address: 37620 North Hidden Valley Drive
Cave Creek, AZ 85327

Signature: _____

Laurence Arthur Clawson

Date: _____

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Citizenship: United States of America

Residence: Grand Forks, ND

Post Office Address: 2236 Springbrook Court
Grand Forks, ND 58201

Signature: _____

John M. Dahl

Date: _____

Full Name of inventor:

Citizenship:

Residence:

Post Office Address:

Signature: _____

Date: _____

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Citizenship:

Residence:

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- (2) Each attorney or agent who prepares or prosecutes the application; and
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(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



Attorney Docket No. H16-26156 CIP1 (256.078US1)

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application
COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SOFTWARE-BASED FAULT-TOLERANT NETWORKING USING A SINGLE LAN.**

The specification of which was filed on December 29, 2000 as application serial no. 09/751,945.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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Application Number
09/513,010

Filing Date
February 25, 2000

Status
Pending

Attorney Docket No.: H16-26156 CIP1 (256.078US1)
 Serial No. 09/751,945
 Filing Date: December 29, 2000

Page 2 of 5

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Hill, Stanley K.	Reg. No. 37,548	Nicholson, Lea A.	Reg. No. P-48-34
Arora, Sunee	Reg. No. 42,267	Jackson Hushsch, Katharine A.	Reg. No. 47,670	Nielsen, Walter W.	Reg. No. 25,539
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 P.O. Box 2245, Morristown, NJ 07962-9806
 Customer Number: 00128

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Jiandong Huang
 Citizenship: United States of America Residence: Plymouth, MN
 Post Office Address: 4365 Juneau Lane
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Signature: _____ Date: _____
Jiandong Huang

Full Name of joint inventor number 2: Sejun Song
 Citizenship: Republic of Korea Residence: Minneapolis, MN
 Post Office Address: 1026 27th Ave SE
Apt. F
Minneapolis, MN 55414

Signature: _____ Date: _____
Sejun Song

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

Agency Docket No.: H16-26156 CIP1 (256.078US1)
Serial No. 09/751,945
Filing Date: December 29, 2000

Page 3 of 5

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Full Name of joint inventor number 3: Tony John Kozlik
Citizenship: United States of America Residence: Phoenix, AZ
Post Office Address: 2936 W. Morrow Drive
Phoenix, AZ 85027

Signature: _____ Date: _____
Tony John Kozlik

Full Name of joint inventor number 4: Ronald J. Freimark
Citizenship: United States of America Residence: Scottsdale, AZ
Post Office Address: 13014 N. 62nd Street
Scottsdale, AZ 85254

Signature: _____ Date: _____
Ronald J. Freimark

Full Name of joint inventor number 5: Jay W. Gustin
Citizenship: United States of America Residence: Scottsdale, AZ
Post Office Address: 6226 E. Joan De Arc Avenue
Scottsdale, AZ 85254

Signature: Jay W. Gustin Date: Aug 27, 2001
Jay W. Gustin

Full Name of joint inventor number 6: Christopher Lunemann
Citizenship: United States of America Residence: Carbon, PA
Post Office Address: 159 Blackberry Lane
Carbon, PA 18229

Signature: _____ Date: _____
Christopher Lunemann

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Attorney Docket No.: H16-26156 CIP1 (256.078US1)
Serial No. 09/751,945
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Page 4 of 5

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Full Name of joint inventor number 7: Laurence Arthur Clawson
Citizenship: United States of America Residence: Cave Creek, AZ
Post Office Address: 37620 North Hidden Valley Drive
Cave Creek, AZ 85327

Signature: _____ Date: _____
Laurence Arthur Clawson

Full Name of joint inventor number 8: John M. Dahl
Citizenship: United States of America Residence: Grand Forks, ND
Post Office Address: 2236 Springbrook Court
Grand Forks, ND 58201

Signature: _____ Date: _____
John M. Dahl

Full Name of inventor:
Citizenship: Residence:
Post Office Address:

Signature: _____ Date: _____

Full Name of inventor:
Citizenship: Residence:
Post Office Address:

Signature: _____ Date: _____

Attorney Docket No.: H16-26156 CIP1 (256.078US1)
Serial No. 09/751,942
Filing Date: December 29, 2000

Page 5 of 5

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office:

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

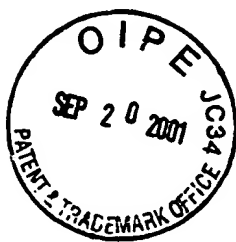
- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

08/27/01 15:52 FAX 6123393061

SCHWEGMAN, LUNDBERG, WOES

002/012



Attorney Docket No. H16-26156 CIP1 (256.078US1)

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: SOFTWARE-BASED FAULT-TOLERANT NETWORKING USING A SINGLE LAN.

The specification of which was filed on December 29, 2000 as application serial no. 09/751,945.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) of patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number
09/513,010

Filing Date
February 25, 2000

Status
Pending

08/27/01 15:53 FAX 6123393061

SCHWEGMAN, LUNDBERG, WOES

003/012

Attorney Docket No.: H16-26156 CIP1 (256.078US1)
 Serial No. 09/751,945
 Filing Date: December 29, 2000

Page 2 of 5

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Hill, Stanley K.	Reg. No. 37,548	Nicholson, Len A.	Reg. No. P-48-34
Arora, Sunee	Reg. No. 42,267	Jackson Huebsch, Katharine A.	Reg. No. 47,670	Nielsen, Walter W.	Reg. No. 25,539
Beckman, Marvin L.	Reg. No. 38,377	Jurkovich, Patti J.	Reg. No. 44,813	Padys, Danny J.	Reg. No. 35,635
Bianchi, Timothy E.	Reg. No. 39,610	Kalis, Janal M.	Reg. No. 37,650	Parker, J. Kevin	Reg. No. 33,024
Billion, Richard E.	Reg. No. 32,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Perdok, Monique M.	Reg. No. 42,989
Black, David W.	Reg. No. 42,331	Kluth, Daniel J.	Reg. No. 32,146	Peret, Andrew R.	Reg. No. 41,246
Brennan, Leonide M.	Reg. No. 35,832	Lacy, Rodney L.	Reg. No. 41,136	Peterson, David C.	Reg. No. 47,857
Brennan, Thomas F.	Reg. No. 35,075	Lemair, Charles A.	Reg. No. 36,198	Prout, William F.	Reg. No. 33,995
Brooks, Edward J., III	Reg. No. 40,925	LeMoine, Dana B.	Reg. No. 40,062	Schumm, Sherry W.	Reg. No. 39,422
Chadwick, Robin A.	Reg. No. 36,477	Lundberg, Steven W.	Reg. No. 30,568	Schwegman, Micheal L.	Reg. No. 25,816
Clark, Barbara J.	Reg. No. 38,107	Maki, Peter C.	Reg. No. 42,832	Scot, John C.	Reg. No. 38,613
Clisc, Timothy B.	Reg. No. 40,957	Malen, Peter L.	Reg. No. 44,894	Smith, Michael G.	Reg. No. 45,368
Dahl, John M.	Reg. No. 44,639	Mates, Robert E.	Reg. No. 35,271	Speier, Gary J.	Reg. No. 45,458
Drake, Eduardo E.	Reg. No. 40,594	McCrackin, Ann M.	Reg. No. 42,858	Steffey, Charles E.	Reg. No. 25,179
Embretson, Janet E.	Reg. No. 39,665	McTavish, Hugh E.	Reg. No. P-48-341	Stordal, Leif T.	Reg. No. 46,251
Forrest, Bradley A.	Reg. No. 30,837	Mehrie, Joseph P.	Reg. No. 45,535	Terry, Kathleen R.	Reg. No. 31,884
Gamon, Owen J.	Reg. No. 36,143	Moore, Charles L., Jr.	Reg. No. 33,742	Tong, Viet V.	Reg. No. 45,416
Gorrych, Joseph E.	Reg. No. 41,791	Muller, Mark V.	Reg. No. 37,509	Viksins, Ann S.	Reg. No. 37,748
Greaves, John N.	Reg. No. 40,362	Nana, Kashi	Reg. No. 44,255	Woessner, Warren D.	Reg. No. 30,440
Hack, John L.	Reg. No. 36,154	Nelson, Albin J.	Reg. No. 28,650	Shudy, John G. Sr.	Reg. No. 31,214
Harris, Robert J.	Reg. No. 37,346				

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Honeywell International Inc. and/or Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Honeywell International Inc. at the address indicated below:

Law Dept. AB2
 P.O. Box 2245, Morristown, NJ 07962-9806
 Customer Number: 00128

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Jiandong Huang
 Citizenship: United States of America Residence: Plymouth, MN
 Post Office Address: 4365 Juncau Lane
Plymouth, MN 55446

Signature: _____
Jiandong Huang

Date: _____

Full Name of joint inventor number 2: Sejun Song
 Citizenship: Republic of Korea Residence: Minneapolis, MN
 Post Office Address: 1026 27th Ave SE
Apt. F
Minneapolis, MN 55414

Signature: _____
Sejun Song

Date: _____

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

08/27/01 15:53 FAX 6123393061

SCHWEGMAN, LUNDBERG, WOES

004/012

Attorney Docket No.: M16-26156 CIP1 (256.078US1)

Serial No. 09/751,945

Filing Date: December 29, 2000

Page 3 of 5

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Signature: _____

Tony John Kozlik

Date: _____

Full Name of joint inventor number 4: Ronald J. FreimarkCitizenship: United States of AmericaResidence: Scottsdale, AZPost Office Address: 13014 N. 62nd Street
Scottsdale, AZ 85254

Signature: _____

Ronald J. Freimark

Date: _____

Full Name of joint inventor number 5: Jay W. GustinCitizenship: United States of AmericaResidence: Scottsdale, AZPost Office Address: 6226 E. Joan De Arc Avenue
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Signature: _____

Jay W. Gustin

Date: _____

Full Name of joint inventor number 6: Christopher LunemannCitizenship: United States of AmericaResidence: Carbon, PAPost Office Address: 159 Blackberry Lane
Carbon, PA 18229

Signature: _____

Christopher Lunemann
Christopher LunemannDate: 8/30/01

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Signature: _____ Date: _____
Laurence Arthur Clawson

Full Name of joint inventor number 8: John M. Dahl
Citizenship: United States of America Residence: Grand Forks, ND
Post Office Address: 2236 Springbrook Court
Grand Forks, ND 58201

Signature: _____ Date: _____
John M. Dahl

Full Name of inventor:
Citizenship: Residence:
Post Office Address:

Signature: _____ Date: _____

Full Name of inventor:
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Post Office Address:

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006/012

Attorney Docket No.: H16-26156 CIP1 (256.078US1)

Page 5 of 5

Serial No. 09/751,945

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- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

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